

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

SHAWN JENKINS,

Defendant.

**Order of Continuance**

**20 Mag. 9915**

Upon the application of the United States of America and the affirmation of Mitzi S. Steiner, Assistant United States Attorney for the Southern District of New York, it is found that the defendant was charged with violating Title 18, United States Code, Sections 844 (f) and 2 in a complaint dated September 16, 2020, and was arrested on October 28, 2020;

It is further found that the defendant was presented before Magistrate Judge Ona T. Wang on October 29, 2020, and the defendant was detained;

It is further found that Johnathan Marvinny, counsel for the defendant, and Assistant United States Attorney Mitzi S. Steiner have been engaged in, and are continuing, discussions concerning a possible disposition of this case;

It is further found that the Government has requested a continuance of 30 days to engage in further discussions with counsel about the disposition of this case and that the defendant, through counsel, has consented that such a continuance may be granted for that purpose and has specifically waived his right to be charged in an indictment or information for an additional 30 days; and

It is further found that the granting of such a continuance best serves the ends of justice and outweighs the best interests of the public and the defendant in a speedy trial; and therefore it is:

ORDERED that the request for a continuance pursuant to 18 U.S.C. § 3161(h)(7)(A) is hereby granted until December 30, 2020.

Dated: New York, New York  
November <sup>30</sup>\_\_, 2020

A handwritten signature in blue ink, reading "Katharine H. Parker".

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United States Magistrate Judge  
Southern District of New York

UNITED STATES OF AMERICA

- v. -

SHAWN JENKINS,

Defendant.

**Affidavit Requesting  
Order of Continuance**

**20 Mag. 9915**

State of New York )  
County of New York ) ss.:  
Southern District of New York )

Mitzi S. Steiner, pursuant to Title 28, United States Code, Section 1746, hereby declares under penalty of perjury that the following is true and correct:

1. I am an Assistant United States Attorney in the Office of Audrey Strauss, Acting United States Attorney for the Southern District of New York. I submit this affirmation in support of an application for an order of continuance of the time within which an indictment or information would otherwise have to be filed, pursuant to 18 U.S.C. § 3161(h)(7)(A).

2. The defendant was charged with violating Title 18, United States Code, Sections 844 (f) and 2 in a complaint dated September 16, 2020. The defendant was arrested on October 28, 2020 and presented before Magistrate Judge Ona T. Wang on October 29, 2020 and detained.

3. Defense counsel consented to a waiver of his client's right pursuant to Rule 5.1 of the Federal Rules of Criminal Procedure to a preliminary hearing within 14 days of the initial appearance. Accordingly, under the Speedy Trial Act the Government initially had until November 30, 2020, within which to file an indictment or information.

4. Defense counsel and I have had discussions regarding a possible disposition of this case. The discussions have not been completed and we plan to continue our discussions, but do

not anticipate a resolution before the deadline under the Speedy Trial Act expires on November 30, 2020.

5. Therefore, the Government is requesting a 30-day continuance until December 30, 2020, to continue the foregoing discussions. On November 19, 2020, I personally communicated with defense counsel, Jonathan Marvinny, who specifically consented to this request.

6. For the reasons stated above, the ends of justice served by the granting of the requested continuance outweigh the best interests of the public and the defendant in a speedy trial.

Dated: New York, New York  
November 20, 2020

/s/  
Mitzi S. Steiner  
Assistant United States Attorney  
(212) 637-2284